

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SOLOMON COLEMAN, individually,
Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT; CHERYL HOOTEN,
individually; JOSEPH LEPORE, individually;
BRIAN SANTAROSSA, individually;
DONALD SHANE, individually; R.
TENNANT, individually; VICENTE
RAMIREZ, individually; LISA LUZAICH,
individually,
Defendants.

CASE NO.: 2:20-cv-00739-JAD-BNW

**STIPULATION AND PROPOSED ORDER
TO EXTEND DISCOVERY DEADLINES
[FOURTH REQUEST]**

Plaintiff, Solomon Coleman, filing Pro Se and Defendants, through their respective counsel of record, hereby stipulate to extend discovery deadlines in the above-captioned matter by sixty (60) days, up to and including June 12, 2023.

Pursuant to Local Rules LR IA 6-1 and LR 26-4, the parties hereby aver that this is the fourth such discovery extension requested in this matter.

I. PROCEDURAL HISTORY

1. On April 24, 2020, the Plaintiff filed his Complaint. ECF No. 1.
2. On October 13, 2020, the LVMPD Defendants filed their Motion to Dismiss Plaintiff's Complaint. ECF No. 10.
3. On October 13, 2020, the LVMPD Defendants filed their Motion to Dismiss Plaintiff's Complaint. ECF No. 10.
4. On November 18, 2020, this Court granted the LVMPD Defendants' Motion to Dismiss. ECF No. 26.

- 1 5. On December 1, 2020, the Plaintiff filed a Motion to Reopen Case. ECF No. 28.
- 2 6. On June 9, 2021, this Court granted Plaintiff's Motion to Reopen Case. ECF No. 34.
- 3 7. On December 6, 2021, the LVMPD Defendants filed their Answer to Plaintiff's
- 4 Complaint. ECF No. 41.
- 5 8. On January 26, 2022, the parties filed their Stipulated Discovery Plan and Scheduling
- 6 Order. ECF No. 42.
- 7 9. On January 28, 2022, Order on Discovery Plan and Scheduling Order. ECF No. 43.
- 8 10. On June 2, 2022, Stipulation. ECF No. 45.
- 9 11. On June 3, 2022, Order on Stipulation. ECF No. 46.
- 10 12. On August 24, 2022, Stipulation. ECF No. 49.
- 11 13. On September 8, 2022, Order on Stipulation. ECF No. 54.
- 12 14. On November 18, 2022, Motion to Extend/Shorten Time. ECF No. 55.
- 13 15. On December 28, 2022, Order on Motion to Extend/Shorten Time. ECF No. 59.
- 14 16. On January 11, 2023, Discovery Plan and Scheduling Order. ECF No. 60.
- 15 17. On January 12, 2023, Order on Discovery Plan and Scheduling Order. ECF No. 61.

18 **II. DISCOVERY COMPLETED TO DATE**

- 19 1. The parties participated in the FRCP 26 conference on January 12, 2022.
- 20 2. On March 16, 2022, the LVMPD Defendants served their Initial Disclosures
- 21 of Witnesses and Documents.
- 22 3. On April 28, 2022, the LVMPD Defendants served written discovery on the Plaintiff.
- 23 4. On May 16, 2022, the Plaintiff served his Initial Disclosures of Witnesses and Documents.
- 24 5. On May 27, 2022, the Plaintiff responded to the LVMPD Defendants' written discovery.
- 25 6. On June 1, 2022, the Plaintiff served written discovery on the LVMPD Defendants.
- 26 7. On July 5, 2022, LVMPD Defendants served their First Supplemental Disclosure of
- 27
- 28

1 Witnesses and Documents.

2 8. On July 22, 2022, LVMPD Defendants responded to Plaintiff's written discovery.

3 9. On July 22, 2022, LVMPD Defendants served their Second Supplemental Disclosure of
4 Witnesses and Documents.

5 10. On October 31, 2022, Plaintiff served additional written discovery on LVMPD
6 Defendants.

7 11. On November 2, 2022, the LVMPD Defendants responded to Plaintiff's written
8 discovery requests with duplicate documents.
9

10 12. On November 9, 2022, Plaintiff served his Third Supplemental Disclosure of Witnesses
11 and
12 Documents.

13 13. On November 14, 2022, LVMPD Defendants took Plaintiff's deposition.

14 14. On November 15, 2022, LVMPD Defendants provided supplemental responses to
15 Plaintiff's
16 written discovery.
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18 15. On November 15, 2022, LVMPD Defendants served their Fourth and Fifth Supplemental
19 Disclosure of Witnesses and Documents.

20 16. On December 22, 2022, LVMPD Defendants provided supplemental responses to
21 Plaintiff's
22 written discovery.
23

24 17. On January 10, 2023, Plaintiff provided supplemental responses to Defendant's written
25 discovery.

26 **III. WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**
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Plaintiff has been unsuccessful in securing depositions of Defendant's 30(b)(6) designee(s), Joseph Lepore, Donald Shane, and Brian Santarossa. The Parties are in the process of solidifying dates for depositions. Plaintiff anticipates conducting nine depositions. Plaintiff is requesting the sixty (60) day extension to ensure the parties have sufficient time to notice, prepare for and take the depositions, conduct expert disclosures, respond to outstanding production discovery request and address any discovery issues which may arise during the depositions.

IV. REMAINING DISCOVERY

- 1. Deposition of Joseph Lepore, Donald Shane and Brian Santarossa;**
- 2. Deposition of Defendants' 30(b)(6) Designee;**
- 3. Plaintiff needs to take the depositions of the following:**
 - A. Cheryl Hooten;**
 - B. Vicente Ramirez;**
 - C. Ronnel Sioson**
- 4. Plaintiff expert disclosures;**
- 5. Defendants' expert rebuttal disclosures;**
- 6. Plaintiff's deposition of disclosed expert;**
- 7. Defendants' deposition of Plaintiff's disclosed expert;**
- 8. Defendants' responses to Plaintiff's request for written and document production discovery requests.**
- 9. Plaintiff's supplemental responses to Defendants written discovery**

V. EXTENSION OR MODIFICATION OF THE DISCOVERY PLAN AND SCHEDULING ORDER

LR 26-4 governs modifications of extensions of the Discovery Plan and Scheduling Order. Any stipulation or motion must be made no later than twenty-one (21) days before the expiration

of the subject deadline, and comply fully with LR 26-4. The parties aver, pursuant to Local Rule 2.25, that good cause exists for the requested extension, and that the deadline for expert's disclosure be extended. Discovery is scheduled to close on April 11, 2023. Plaintiff has been unsuccessful in securing depositions of Defendant's 30(b)(6) designee(s), Joseph Lepore, Donald Shane, and Brian Santarossa. The Parties are in the process of solidifying dates for depositions. Plaintiff anticipates conducting nine depositions. The parties have stipulated to extending the discovery deadlines by sixty (60) days to ensure that the parties have sufficient time to take depositions, have expert disclosures and rebuttal, and respond to remaining outstanding document production. The parties aver that this request for extension of discovery deadline is made by the parties in good faith and not for purposes of delay.

Therefore, the parties respectfully request that the modification of a scheduling order be granted. The following is a list of the current discovery deadlines and the Plaintiffs' proposed extended deadlines.

Scheduled Event	Current Deadline	Proposed Deadline
Expert Disclosures	February 10, 2023	April 10, 2023
Rebuttal Expert Disclosures Pursuant to FRCP 26(a)(2)	March 10, 2023	May 10, 2023
Discovery Cut-off	April 11, 2023	June 12, 2023
Dispositive Motion	May 11, 2023	July 12, 2023
Joint Pre-Trial Order	June 12, 2023	August 14, 2023

This request for extensions of time is not sought for any improper purpose or for purposes of delay. The Parties have been diligent in their written discovery, and request the instant extension to allow for adequate time to prepare for and conduct the depositions of the parties,

1 witness and expert disclosures, and production of outstanding disclosures. Therefore, the Parties
2 respectfully submit that the reasons set forth above constitute good cause for the discovery
3 extension.

4
5 WHEREFORE, the Parties respectfully request that this court extend the discovery dates as
6 outlined in accordance with the table above.

7
8 IT IS SO STIPULATED this 20th day of January 2023.

9 By: /s/ Solomon Coleman
10 Solomon Coleman, Pro Se
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13 Plaintiff, Pro Se

By: /s/ Nick D. Crosby
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Attorneys for LVMPD Defendants

14 **ORDER**

15 **IT IS SO ORDERED**

16 **DATED:** 3:16 pm, January 23, 2023

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18 **BRENDA WEKSLER**
19 **UNITED STATES MAGISTRATE JUDGE**